

In the
Indiana Supreme Court



In the Matter of:)	Supreme Court Cause Nos.
Jacob A. ATANGA,)	49S00-1111-DI-664
Respondent.)	49S00-1201-DI-23
)	49S00-1202-DI-90

**ORDER TO SUBMIT JOINT STATUS REPORT
REGARDING GRIEVANCES FILED AGAINST RESPONDENT**

In Cause No. 49S00-1111-DI-664 ("Case 664"), this Court issued an order on November 22, 2011, directing Respondent to show cause why he should not be suspended for failure to cooperate with the Commission. The Commission filed a "Request for Ruling and to Tax Costs" on January 6, 2012, asserting Respondent still had not cooperated. On February 15, 2012, the Court entered an order of suspension for noncooperation and taxing costs, stating that "this suspension shall continue **until further order of this Court**, provided there are no other suspensions then in effect." (Emphasis in original.)

In Cause No. 49S00-1201-DI-23 ("Case 23"), this Court issued an order on January 20, 2012, directing Respondent to show cause why he should not be suspended for failure to cooperate with the Commission with a different investigation. The Commission filed a "Request for Ruling and to Tax Costs" on February 7, 2012, asserting Respondent still had not cooperated.

In Cause No. 49S00-1202-DI-90 ("Case 90"), the Court entered a show cause order on February 22, 2012, directing Respondent to show cause why he should not be suspended for failure to cooperate with the Commission with yet another investigation.

On February 28, 2012, the Commission filed a "Certification of Compliance and Objection to Reinstating Respondent to the Practice of Law," certifying that Respondent has now cooperated with the Commission's investigation of the charges at issue in Case 664 and Case 23 but objecting to lifting the suspension based on Respondent's disciplinary history, including noncooperation with the Commission and failure to obey the Court's show cause orders. Respondent filed an answer to the Commission's objection to reinstatement on March 6, 2012, requesting that his noncooperation suspension be lifted.

On March 23, 2012, the Commission filed a "Certification of Compliance and Continued Objection to Reinstating Respondent to the Practice of Law" in Case 90, certifying that Respondent has now cooperated with the Commission's investigation of the charges at issue in Case 90 but continuing to object to lifting the suspension. The Commission added the following assertion: Respondent was suspended effective February 15, 2012. He appeared in court on behalf of a criminal defendant on February 20, 2012 (when he may not have yet been aware of

the suspension). He signed the "green card" for this Court's notice of his suspension on February 22, 2012, and had not yet withdrawn his appearance or notified the trial court as of the date the Commission filed its certification/objection in this case.

Respondent's disciplinary history since July 2010 is summarized below:

- 49S00-1007-DI-367: Show cause petition filed 7/13/10. Dismissed with costs after compliance 8/5/10.
- 49S00-1012-DI-679: Show cause petition filed 12/20/10. Dismissed with costs after compliance 2/17/11.
- 49S00-1105-DI-290: Show cause petition filed 5/18/11. Suspended for noncooperation 8/19/11. Reinstated on certificate of compliance 9/27/11.
- 49S00-1106-DI-343: Show cause petition filed 6/15/11. Suspended for noncooperation 8/19/11. Reinstated on certificate of compliance 10/12/11.
- 49S00-1111-DI-664: Show cause petition filed 11/15/11. Suspended for noncooperation 2/15/12.
- 49S00-1201-DI-23: Show cause petition filed 1/17/12. Show cause order entered 1/20/12.
- 49S00-1202-DI-90: Show cause petition filed 2/14/12. Show cause order entered 2/22/12.

"It shall be the duty of every attorney against whom a grievance is filed . . . to cooperate with the Commission's investigation" Admis. Disc. R. 23(10)(e). The Commission has been forced to seek this Court's assistance seven times in 19 months to obtain Respondent's cooperation with its investigations. The Court has rarely encountered a disciplinary history that displays such disregard for the disciplinary process as Respondent's.

Respondent asks the Court to reinstate him based on his belated cooperation with the Commission in Cases 664, 23, and 90. The Commission requests that Respondent's noncooperation suspension be converted to an indefinite suspension and that Respondent be required to go through the reinstatement procedure set forth by Admis. Disc. R. 23(4) and (18).

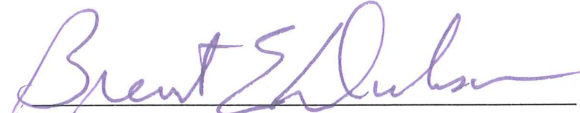
To assist in resolution of this matter, the Court ORDERS the parties to file a joint status report with the following information:

- The procedural status of each underlying grievance at issue in all the show cause proceedings against Respondent since July 13, 2010, including whether the investigation has concluded, whether there are any outstanding requests for information from Respondent, whether the grievance has been dismissed, and whether further action on the grievance is anticipated.
- Whether Respondent has withdrawn his appearance in the criminal action described by the Commission in its "Certification of Compliance and Continued Objection to Reinstating Respondent to the Practice of Law" in Case 90, and if so, the date on which the withdrawal of appearance was filed.

The parties shall file the joint status report **on or before May 11, 2012**. If the parties are unable to agree on a joint status report, each party shall submit a separate status report on or before this date.

The Clerk of this Court is directed to forward notice of this Order to the Respondent or Respondent's attorney and to the Indiana Supreme Court Disciplinary Commission.

DONE at Indianapolis, Indiana, this 10th day of April, 2012.



Acting Chief Justice of Indiana

All Justices concur.